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10/567,521

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EXAMINER

DURNFORD GESZVAIN, DILLON

ART UNIT

PAPER NUMBER

2622

MAIL DATE

DELIVERY MODE

01/04/2011

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

10/567,521

**Applicant(s)**

KITAURA ET AL.

**Examiner**

Dillon Durnford-Geszvain

**Art Unit**

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 15-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Claims **15-36** are pending, claims **15-36** are newly added, and claims **1-14** are cancelled.

### *Response to Arguments*

2. Applicant's arguments with respect to claims **15-36** have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Objections*

3. Claims **24-27** appear twice in the claims and one set of claims **24-27** must be cancelled.

### *Claim Rejections - 35 USC § 102*

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims **15 – 36** are rejected under 35 U.S.C. 102(b) as being anticipated by JP 10-150608 (Murata, citations are to the machine translation cited in the attached PTO-892).

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6. As to claim **15**, Murata teaches a stereoscopic image reproducing apparatus for reproducing a three-dimensional image based on control information for controlling a display of three-dimensional image data, comprising:

a first display portion 16 (Fig. 1) having a first display size (32 inches) and a first resolution ([0067]);

a decision portion 101 for deciding on whether a first amount of parallax on the first display portion after three-dimensional image data has been displayed needs to be changed or not, based on control information ([0064]); and

an image processing portion 15 for implementing an image process to the three-dimensional image data for changing the first amount of parallax ([0017]),

wherein the control information contains a standard display size (16 inches) and a standard resolution of a standard display portion which is different from the first display portion ([0067]); and

wherein the decision portion compares a first pitch between dots determined using the first display size and the first resolution (this is implicit in the display size) and a standard pitch between dots determined using the standard display size and the standard resolution, and determines that the first amount of parallax needs to be changed when the first pitch between dots is greater than the standard pitch between dots ([0067]).

7. Claim **16** is similar to claim **15** and is rejected on similar grounds.

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8. Claim **17** is similar to claim **15** and is rejected on similar grounds.
9. Claim **18** is similar to claim **15** and is rejected on similar grounds.
10. As to claim **19**, see the rejection of claim **15** and note that Murata further teaches the stereoscopic image reproducing apparatus according to claim **15**, wherein the first pitch between dots has been modified by an enlargement/reduction ratio determined using an image size of the three-dimensional image data and the first resolution ([0066]).
11. Claim **20** is similar to claim **19** and is rejected on similar grounds.
12. Claim **21** is similar to claim **19** and is rejected on similar grounds.
13. Claim **22** is similar to claim **19** and is rejected on similar grounds.
14. Claim **23** is similar to claim **15** and is rejected on similar grounds.
15. As to claim **24**, see the rejection of claim **23** and note that Murata further teaches the stereoscopic image reproducing apparatus according to claim **23**, wherein the standard amount of parallax is the maximum amount of parallax of the three-dimensional image data ([0067]).

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16. As to claim **25**, see the rejection of claim **23** and note that Murata further teaches the stereoscopic image reproducing apparatus according to claim **23**, wherein the standard amount of parallax is an amount of parallax of a predetermined subject in the three-dimensional image ([0067]).

17. Claims **26-36** are methods that roughly correspond to the apparatus of claims **15-25** and are rejected on similar grounds.

### ***Conclusion***

18. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dillon Durnford-Geszvain whose telephone number is (571) 272-2829. The examiner can normally be reached on Monday through Friday 8 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Ometz can be reached on (571) 272-7593. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/DDG/

1/1/2011

/Justin P Misleh/  
Primary Examiner, Art Unit 2622